

1F1



In Re Application of: CHIAKI KASADA
 Appln. No. 09/890,711
 Date Filed: August 2, 2001
 For: STYRL DYE

Art Unit: 1756
 Examiner: M. J. ANGEBRANNNDT
 Washington, D.C.
 Atty.'s Docket: KASADA=4
 Date: July 9, 2004
Confirmation No. 6303

Honorable Commissioner for Patents
 U.S. Patent and Trademark Office
 2011 South Clark Place
 Customer Window, Mail Stop Non-Fee Amendment
 Crystal Plaza Two, Lobby, Room 1B03
 Arlington, Virginia 22202

Sir:

Transmitted herewith is a [X] REPLY TO RESTRICTION REQUIREMENT AND REMARKS the above-identified application.

- [] Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
 [] Applicant claims small entity status. See 37 C.F.R. §1.27.
 [XX] No fee is required.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2)	(Col. 3) HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 1	MINUS	** 20	
INDEP.	* 13	MINUS	*** 3	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL \$

SMALL ENTITY		OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
x 9	\$	x 18	\$
x 43	\$	x 86	\$
+ 145	\$	+ 290	\$
ADDITIONAL FEE TOTAL		TOTAL	

OR

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
 [] Second - \$ 210.00
 [] Third - \$ 475.00
 [] Fourth - \$ 740.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
 [] Second - \$ 420.00
 [] Third - \$ 950.00
 [] Fourth - \$ 1480.00

Month After Time Period Set

[] Less fees (\$_____) already paid for ____ month(s) extension of time on _____.

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$_____.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

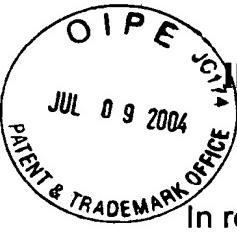
BROWDY AND NEIMARK

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By:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KASADA=4

In re Application of:) Art Unit: 1756
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REPLY TO RESTRICTION REQUIREMENT AND REMARKS

Customer Window, Mail Stop **Non-Fee Amendment**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

The Office Action mailed June 16, 2004, in the nature of a requirement for restriction, has been carefully reviewed. Favorable consideration is respectfully requested.

Restriction has been required among what the Examiner considers to be patentably distinct inventions, as follows:

Group I, drawn to styryl dyes, presently comprising claims 1-5;

Group II, drawn to light absorbing compositions and optical recording media using styryl dyes, presently comprising claims 6-13 and 15-20; and

Appln. No. 09/890,711
Amd. dated July 8, 2004
Reply to Office Action of June 16, 2004

Group III, drawn to methods of making styryl dyes, presently comprising claim 14.

Applicant herewith elects Group II, claims 6-13 and 15-20, drawn to light absorbing compositions and optical recording media using styryl dyes.

If the restriction requirement is maintained, it will be clear on the record that the PTO considers the three groups to be patentably distinct from one another *i.e.*, prima facie non-obvious from one another. This means that a reference identical to the one group would not render the other group *prima facie* obvious.

Favorable consideration is respectfully requested.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
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